

Page 1 of 16
Permit No. ST-7324
Issuance Date: May 18, 2006
Effective Date: June 1, 2006
Expiration Date: May 18, 2011

STATE WASTE DISCHARGE PERMIT NUMBER ST-7324

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office
3190 – 160th Avenue SE
Bellevue, WA 98008-5452

In compliance with the provisions of the
State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington, as amended,
authorizes

SAKUMA BROS. FARM, INC.
P.O. Box 427
Burlington, WA 98233

to discharge wastewater in accordance with the Special and General Conditions which follow.

Facility Location:

17400 Cook Road
Burlington, WA 98233

Skagit County

Industry Type:

Fruit Processing

SIC Code:

5148

Discharge Location:

Legal Description :

SW ¼ of S24, T 35N, R 3E, W.M.

Latitude: 48° 30' 20" N

Longitude: 122° 22' 00" W

Kevin C. Fitzpatrick
Water Quality Section Manager
Northwest Regional Office
Washington State Department of Ecology

TABLE OF CONTENTS

SUMMARY OF PERMIT REPORT SUBMITTALS.....	3
--	---

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS.....	4
S2. MONITORING REQUIREMENTS	5
A. Wastewater Monitoring	
B. Soil Monitoring	
C. Sampling and Analytical Procedures	
D. Flow Measurement	
E. Laboratory Accreditation	
S3. REPORTING AND RECORD KEEPING REQUIREMENTS	7
A. Reporting	
B. Records Retention	
C. Recording of Results	
D. Additional Monitoring by the Permittee	
E. Noncompliance Notification	
F. Maintaining a Copy of This Permit	
S4. OPERATION AND MAINTENANCE.....	9
A. Operations and Maintenance Manual	
B. Bypass Procedures	
C. Irrigation Land Application	
D. Best Management Practices/Pollution Prevention Program	
S5. SOLID WASTE DISPOSAL.....	12
A. Solid Waste Handling	
B. Leachate	
C. Solid Waste Control Plan	
S6. IRRIGATION AND CROP MANAGEMENT PLAN.....	13
A. Annual Summary of Farm Operations for Previous Year	
B. Cropping Schedule for Upcoming Year	

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS.....	14
G2. RIGHT OF ENTRY	14
G3. PERMIT ACTIONS.....	15
G4. REPORTING A CAUSE FOR MODIFICATION	15
G5. PLAN REVIEW REQUIRED	15
G6. COMPLIANCE WITH OTHER LAWS AND STATUTES.....	15
G7. DUTY TO REAPPLY	15
G8. PERMIT TRANSFER	16
G9. PAYMENT OF FEES.....	16
G10. PENALTIES FOR VIOLATING PERMIT CONDITIONS	16

SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.A.	Monthly DMR Report	Monthly during June, July, August, September	July 30, 2006
S3.A.	Annual Report	Annually	By January 31, 2007
S4.A.	Operations and Maintenance Manual	1/permit cycle	By December 1, 2006
S4.A.	Operations and Maintenance Manual Updates	Annually or as they occur	Within 30 days of adoption of the update
S5.C.	Solid Waste Control Plan	1/permit cycle	By July 1, 2006
S6.	Irrigation and Crop Management Plan	1/year with Annual Report	January 31, 2007
G7.	Application for Permit Renewal	1/permit cycle	By November 15, 2010

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following flows or pollutants more frequently than, or at a concentration or volume in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date and lasting through the expiration date of this permit, the Permittee is authorized to apply wastewater to land via spray or drip irrigation at agronomic rates defined in the Irrigation and Crop Management Plan on the following designated irrigation lands:

Approximately 100 acres located west of the city of Burlington near the intersection of Cook Road and Chuckanut Drive, and the SW¼ Section 24, Township 35 North, Range 3 East W.M.

Total nitrogen and water; including water, waste water, and precipitation, applied to the irrigation lands shall not exceed the crop requirements at agronomic rates as determined by the Permittee's Irrigation and Crop Management Plan, Condition S5. Discharges shall be subject to the following limitations:

EFFLUENT LIMITATIONS		
Parameter	Average Monthly ^a	Maximum Daily ^b
Flow (gpd)	Record value in gpd	Record value in gpd
Flow (gallons per acre)	TBD ^c	---
pH (standard units)	Between 6 - 8.5 standard units	---
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day.		
^c TBD means “to be determined.” The monthly average gallons per acre value will be evaluated every year in the Irrigation and Crop Management Plan.		

S2. MONITORING REQUIREMENTS**A. Wastewater Monitoring**

Sampling point #001 for the waste water from the storage lagoon will be after filtration and prior to discharging to the land application fields. Sampling point #002 shall be from the old storage tank, prior to overhead spraying onto fields.

The Permittee shall monitor the waste water at sampling point #001 and #002 according to the following schedule:

Parameter	Units	Sampling Frequency ^a	Sample Type
Flow	GPD	Daily	Meter
BOD ₅	mg/L	Weekly	Grab
Total Dissolved Solids (TDS)	mg/L	Weekly	Grab
Total Suspended Solids (TSS)	mg/L	Weekly	Grab
Total Nitrogen	mg/L	Weekly	Grab
pH	Standard Units	Daily	Grab
^a Sampling from the storage lagoon shall be during any month when there is a discharge from the lagoon. Sampling from the old storage tanks shall be during any month when there is overhead spraying onto the fields.			

B. Soil Monitoring**1. Annual Monitoring**

The Permittee shall perform soil monitoring on the irrigation lands once per year during the five-year term of the permit. These sampling sites shall be located so as to be representative of each irrigation site or as represented in the Irrigation and Crop Management Plan. If possible, sampling sites shall remain in the same vicinity from year to year. Testing at each sampling site shall be done on one-foot soil increments. Results shall be submitted annually, by January 31, with the Irrigation and Crop Management Plan.

Composite samples will be for four depths [0-12"; 12-24"; 24-36"; 36-48"] (or until auger refusal) and will be from a minimum of four (4) cores. Samples will be collected annually, during the month of October.

The Permittee shall monitor the soils according to the following schedule:

Parameter	Units	Sample Point	Depth Increments ¹
Cation exchange capacity	meq/100g	Each field	
Organic matter	%	"	1,2,4
Moisture content	%	"	
TKN (as N)	mg/Kg	"	1,2
NO ₂ -NO ₃ (as N)	mg/Kg	"	1-4
Conductivity	mmhos/cm	"	1-4
pH	std. pH units	"	
¹ Depth (inches) vs. Depth increment (ft.) for composite samples: #1: 0-12"; #2: 12-24"; #3: 24-36"; #4: 36-48"			

C. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

All soil analysis and reporting will be in accordance with *Laboratory Procedures*, Soil Testing Laboratory, Washington State University, November 1981.

D. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure the accuracy of the measurements is consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

E. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, turbidity, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Soil testing has not been included in the accreditation program. Soils data shall be provided by a lab accredited for similar parameters in water media.

S3. REPORTING AND RECORD KEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

Monthly:

The first monitoring period begins on the effective date of the permit. Monitoring results of the wastewater from the old sump and the lagoon shall be submitted monthly. The daily, weekly, and monthly monitoring data from the old sump and the lagoon, as required in S2.A shall be summarized monthly on a form provided by the Department. The submittals are due on the 30th day of the following month. The June report is due by July 30, July report due August 30, August report due September 30, and the September report is due by October 30.

Annually:

An annual summary of the land application activities shall be submitted in an Annual Report. The Annual Report shall be submitted to the Department no later than January 31 of the following year. The report shall be sent to the Department of Ecology, Northwest Regional Office, 3190 -160th Avenue SE, Bellevue, WA 98008-5452.

The Irrigation and Crop Management Plan shall be submitted annually, by January 31, with the Annual Report.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2 of this permit, then the results of this monitoring shall be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem.
2. Repeat sampling and analysis of any violation and submit the results to the Department within thirty (30) days after becoming aware of the violation.
3. Immediately notify the Department of the failure to comply.
4. Submit a detailed, written report to the Department within thirty (30) days, unless requested earlier by the Department, describing the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Maintaining a Copy of This Permit

A copy of this permit shall be kept at the facility and be made available upon request to Ecology inspectors.

S4. OPERATION AND MAINTENANCE

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

A. Operations and Maintenance Manual

An Operations and Maintenance (O&M) Manual shall be prepared by the Permittee in accordance with WAC 173-240-150 and be submitted to the Department for approval by December 1, 2006. The O&M Manual shall be reviewed by the Permittee at least annually. All manual changes or updates shall be submitted to the Department for review within thirty (30) days of incorporation into the manual. The approved Operation and Maintenance Manual shall be kept available at the permitted facility.

The Operation and Maintenance Manual shall contain the treatment plant process control monitoring schedule. All operators shall follow the instructions and procedures of this manual.

In addition to the requirements of WAC 173-240-150(1) and (2), the manual shall include:

1. Emergency procedures for plant shutdown and cleanup in event of wastewater system upset or failure.
2. Irrigation system operational controls and procedures.
3. Plant maintenance procedures.
4. Protocols and procedures for wastewater sampling and testing.
5. Stormwater controls to prevent contamination of groundwater.

B. Bypass Procedures

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. *Unavoidable Bypass*—Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit, the Permittee shall notify the Department in accordance with Condition S3.E "Noncompliance Notification."

2. *Anticipated Bypass That Has the Potential to Violate Permit Limits or Conditions*—Bypass is authorized by an administrative order issued by the Department. The Permittee shall notify the Department at least thirty (30) days before the planned date of bypass. The notice shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Department will consider the following prior to issuing an administrative order:
 - a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
 - b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
 - c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.

3. *Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions* -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, or adversely impact public health as determined by the Department prior to the bypass.

C. Irrigation Land Application

1. There shall be no runoff of wastewater applied to land by spray or drip irrigation to any surface waters of the state or to any land not owned by or under control of the Permittee.

2. The Permittee shall use recognized good practices, and all available and reasonable procedures to control odors from the land application system. When notified by the Department, the Permittee shall implement measures to reduce odors to a reasonable minimum.
3. The waste water shall not be applied to the irrigation lands in quantities that:
 - a. Significantly reduce or destroy the long-term infiltration rate of the soil.
 - b. Would cause long-term anaerobic conditions in the soil.
 - c. Would cause ponding of wastewater and produce objectionable odors or support insects or vectors.
 - d. Would cause leaching losses of constituents of concern beyond the treatment zone or in excess of the approved design. Constituents of concern are constituents in the waste water, partial decomposition products, or soil constituents that would alter ground water quality in amounts that would affect current and future beneficial uses.
4. The Permittee shall maintain all irrigation agreements for lands not owned for the duration of the permit cycle. Any reduction in irrigation lands by termination of any irrigation agreements may result in permit modification or revocation. The Permittee shall immediately inform the Department in writing of any proposed changes to existing agreements.

D. Best Management Practices/Pollution Prevention Program

1. All cull raw material; leaves, stems, dirt and other solids from sorting and washing operations; and screened material collected from the wastestream (including filter backwash) are to be stored and disposed of in such a manner which will prevent their entry into state waters.
2. All process wastewater shall be screened or filtered prior to discharge to the irrigation fields.
3. All screens, hoppers, conveyors, pumps and other equipment provided for wastewater conveyance and solids separation shall be continuously maintained to provide reliable and effective operation.
4. Drainage from raw product storage areas during the processing season shall be disposed of in the same manner as process wastewater.

5. The wastewater application field(s) shall be maintained and the spray or drip application rates adjusted to prevent ponding of waste water and prevent runoff into drainage ditches or state waters.
6. Wastewater spray or drip application to areas with standing or ponding water is prohibited.
7. Odors or other nuisance conditions caused by the operation of the wastewater disposal system shall be kept to a minimum.
8. Domestic and sanitary wastes shall not be discharged to the lagoon or land applied. Sanitary waste shall be disposed of per the requirements of the Skagit County Health Department.

S5. SOLID WASTE DISPOSAL**A. Solid Waste Handling**

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the state surface water quality standards, chapter 173-201A WAC, or the state ground water quality standards, chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

C. Solid Waste Control Plan

The Permittee shall submit a Solid Waste Control Plan to the Department no later than July 1, 2006. This plan shall include all solid wastes with the exception of those solid wastes regulated by chapter 173-303 WAC (Dangerous Waste Regulations). The plan shall include, at a minimum, a description, source, generation rate, and disposal methods of these solid wastes. This plan shall not be at variance with any approved local solid waste management plan. Any proposed revision or modification of the Solid Waste Control Plan must be submitted to the Department. The Permittee shall comply with the plan and any modifications thereof.

S6. IRRIGATION AND CROP MANAGEMENT PLAN

An Irrigation and Crop Management Plan shall be submitted annually by January 31 for Department review. The plan shall generally conform to *Guidelines for Preparation of Engineering Reports for Industrial Wastewater Land Application Systems*, Ecology 1993. Another applicable reference is *Irrigation Management Practices to Protect Ground Water and Surface Water Quality, State of Washington*, August 1995.

The plan must be prepared by a soil scientist. The plan shall include the following elements:

A. Annual Summary of Farm Operations for Previous Year

This summary shall include:

1. For each crop grown, the total acreage and quantity harvested, if applicable.
2. Wastewater loadings of nutrients, TDS or other design limiting parameters, and contributions from commercial fertilizers applied.
3. Calculated water balance. The calculations shall include irrigation system efficiency and application uniformity, the quantity of supplemental irrigation water and process wastewater applied, and crop consumptive use.
4. Soil testing results. A summary of the soil testing results shall be submitted and discussed as part of the annual Irrigation and Crop Management Plan.

B. Cropping Schedule for Upcoming Year

This schedule shall include:

1. Crop Management. The proposed acreage for each crop, cultivation requirements, expected crop yields, and methods for establishing a crop, and proposed schedule for herbicide, pesticide, and fertilizer application.
2. Irrigation Management. The frequency and timing of wastewater and supplemental irrigation water application (including harvest and non-harvest periods), and recommended rest cycles for wastewater application where organic or hydraulic loading is a concern.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed as follows:

- A. All permit applications shall be signed by either a principal executive officer or ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by the person described above and is submitted to the Department at the time of authorization.
 - 2. The authorization specifies either a named individual or any individual occupying a named position.
- C. Changes to authorization. If an authorization under paragraph B.2, above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. RIGHT OF ENTRY

Representatives of the Department shall have the right to enter at all reasonable times in or upon any property, public or for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the state. Reasonable times shall include normal business hours; hours during which production, treatment, or discharge occurs; or times when the Department suspects a violation requiring immediate inspection. Representatives of the Department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least sixty (60) days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least one hundred eighty (180) days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least one hundred eighty (180) days prior to the specified expiration date of this permit.

G8. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department.
- B. A copy of the permit is provided to the new owner.
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to Section A above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G9. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under chapter 173-224 WAC are not paid.

G10. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.